

FEB 03 2010

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,	)	
	)	
	)	Case No. 5:04CR30018
	)	(Case No. 5:10CV80226)
v.	)	
	)	<b><u>FINAL JUDGMENT AND ORDER</u></b>
	)	
DONNA KAY ROY,	)	By: Glen E. Conrad
	)	United States District Judge
Defendant.	)	

For the reasons stated in the memorandum opinion entered this day, it is

**ADJUDGED AND ORDERED**

that the defendant's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255 is **DENIED** and the action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this judgment and order to the defendant.

ENTER: This 3<sup>rd</sup> day of February, 2010. *[Signature: Glen E. Conrad]*  
\_\_\_\_\_  
United States District Judge